

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C. 20036

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Federal Communication Commission
Bureau / Office

IN RE MATTER OF)	
)	
AMENDMENT TO SECTION)	RM-
73.202(b) OF THE COMMISSION'S)	
TABLE OF ALLOTMENTS)	
)	
SHENANDOAH, VIRGINIA)	
RESERVATION FOR EDUCATIONAL)	
NONCOMMERCIAL USE)	
)	

TO: Chief Allocations Branch
 Media Division

PETITION FOR RULE MAKING

The Sister Sherry Lynn Foundation, Inc. (hereafter "SSL"), by its undersigned counsel hereby respectfully requests that the FM Table of Allotments be modified as follows:

<u>COMMUNITY</u>	<u>CURRENT</u>	<u>PROPOSED</u>
SHENANDOAH, VA	296	296*

In support of this request the following is submitted for the consideration of the Commission.

1. The Commission's Public Notice, DA 03-2990, released on September 30, 2003, opened a window for the submission of petitions seeking the noncommercial

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 List ABOVE FM-mB
03-420

educational reservation of certain vacant FM allotments. Among these allotments was the vacant FM channel 296A reservation at Shenandoah, Virginia.

2. Attached hereto as Exhibit A are channel studies completed by SSL's engineering consultants. These demonstrate that there are no reserved band, noncommercial, educational FM channels available for use at Shenandoah, Virginia.

3. Attached hereto as Exhibit B is an engineering study showing that if the current FM channel 296 allotment to Shenandoah were designated for noncommercial, educational use, it would provide a second, noncommercial broadcast service to over 10,000 persons, and to over 12% of the total population, within its proposed service area.

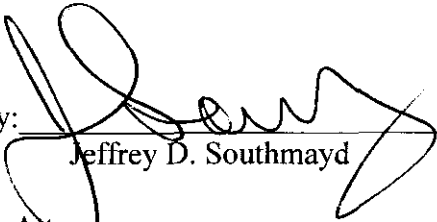
4. Such a showing meets the requirements found in the *Second Report and Order in the Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, 18 FCC Rcd 6691 (2003) at paragraphs 34-40 for the reallocation of nonreserved band FM channels to noncommercial, educational use. SSL requests such a noncommercial, educational reservation for the FM channel 296 allocation at Shenandoah, Virginia.

5. SSL will submit comments in support of this proposal. In the event that this channel is re-allocated for noncommercial, educational use, SSL will file an application for the utilization thereof, and promptly build and operate a station in the event its application is granted by the Commission.¹

¹ SSL is the FCC licensee of noncommercial, educational FM station KFXT, Sulphur, Oklahoma, and has been found to be qualified to hold noncommercial, educational FM licenses in conformity with the Commission's rules, regulations and policies.

Respectfully submitted,

The Sister Sherry Lynn Foundation, Inc.

By: 
Jeffrey D. Southmayd
Its Attorney

Southmayd & Miller
1220 19th Street, N.W.
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Washington, D.C. 20036
(202) 331-4100

Date: November 21, 2003

EXHIBIT A

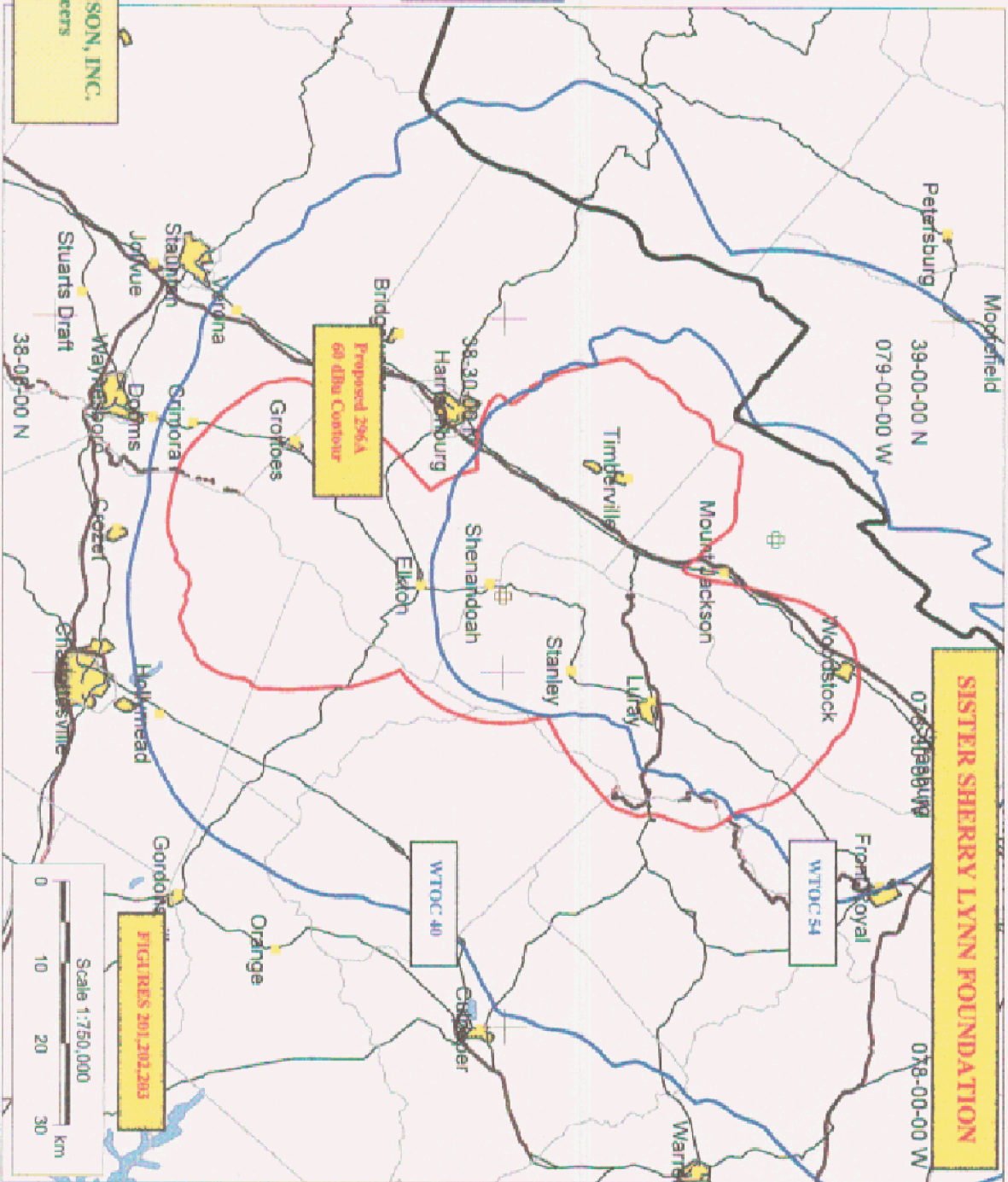
Shenandoah Alloc

Latitude: 38-30-00 N
 Longitude: 078-38-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO

Cb 202 eliminate
 201,202, & 203

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 Consulting Engineers
 October 2003



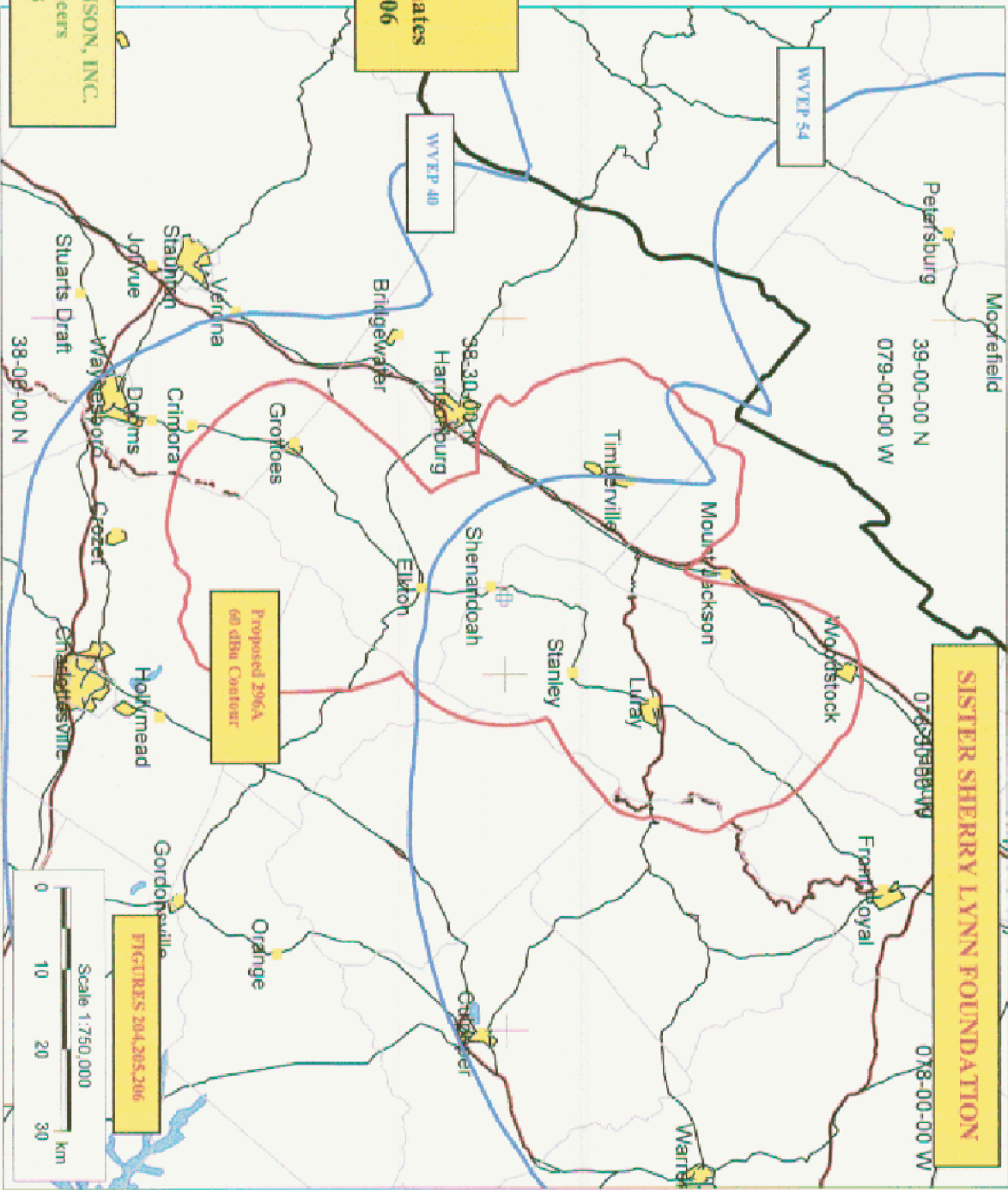
Shenandoah Alloc

Latitude: 38-30-00 N
 Longitude: 078-36-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO

Ch 205 eliminates
 204, 205, & 206

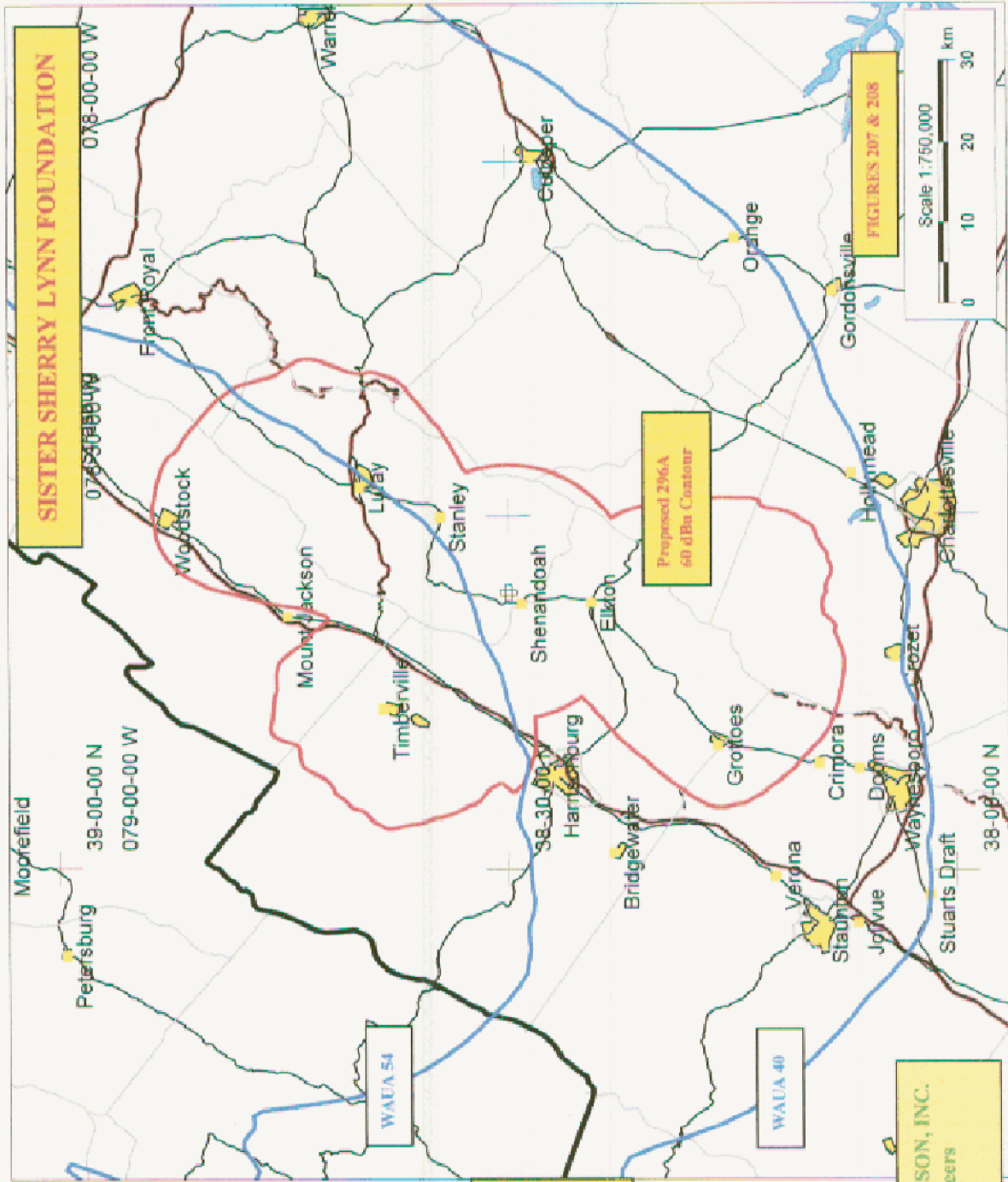
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 October 2003



Shenandoah Alloc
 Latitude: 38-30-00 N
 Longitude: 078-36-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO
 Ch 208 eliminates
 Ch 207 & 208

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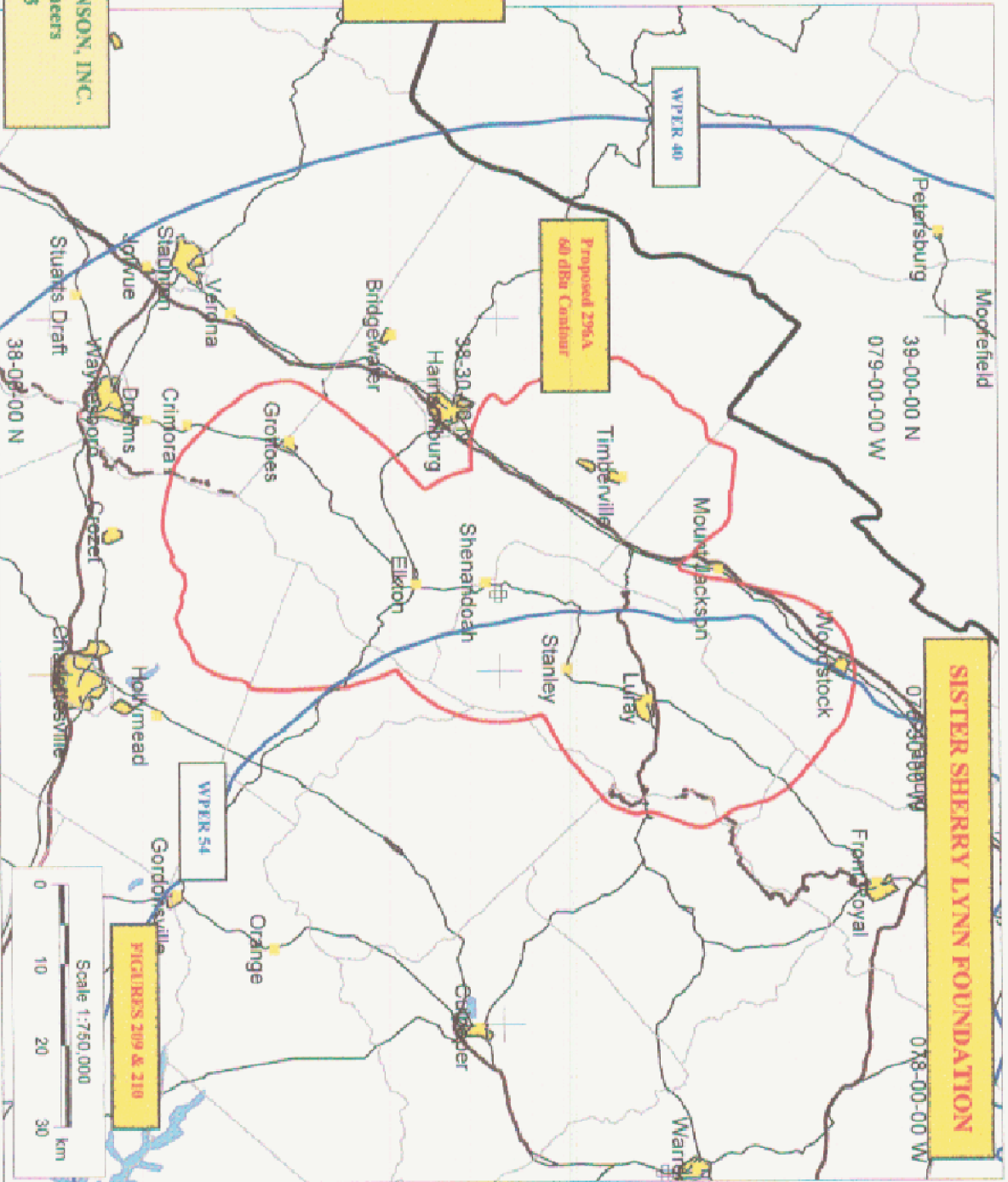
Shenandoah Alloc

Latitude: 38-30-00 N
 Longitude: 078-36-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO

**Ch 210 eliminates
 Ch 209 & 210**

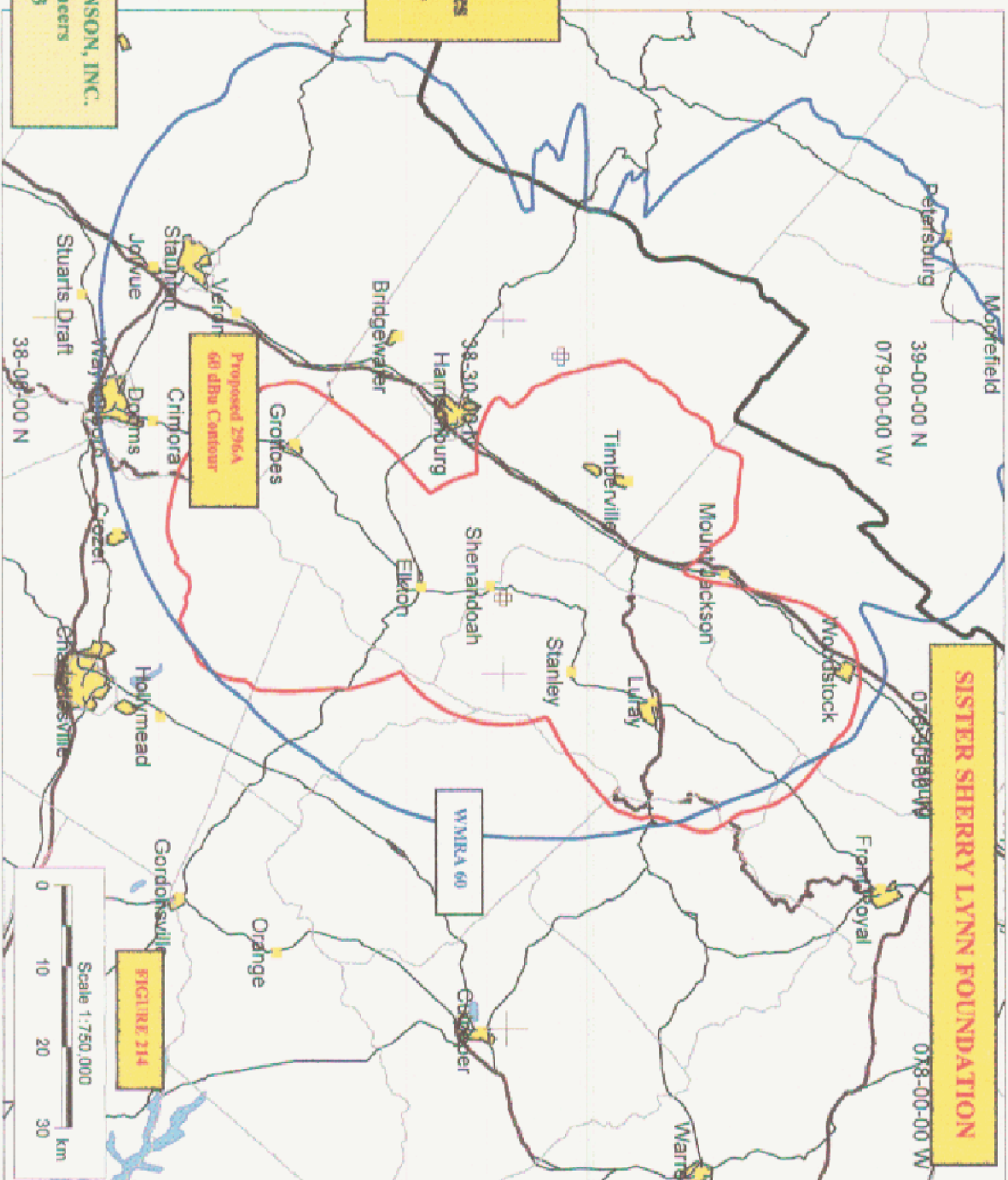
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Latitude: 38-30-00 N
Longitude: 078-36-33 W
ERP: 6.00 kW
Channel: 286A
Frequency: 107.1 MHz
AASL Height: 561.27 m
Elevation: 331.48 m
Horiz. Pattern: Omni

**Ch 214 eliminates
211,212,213,214,
215,216, & 217**

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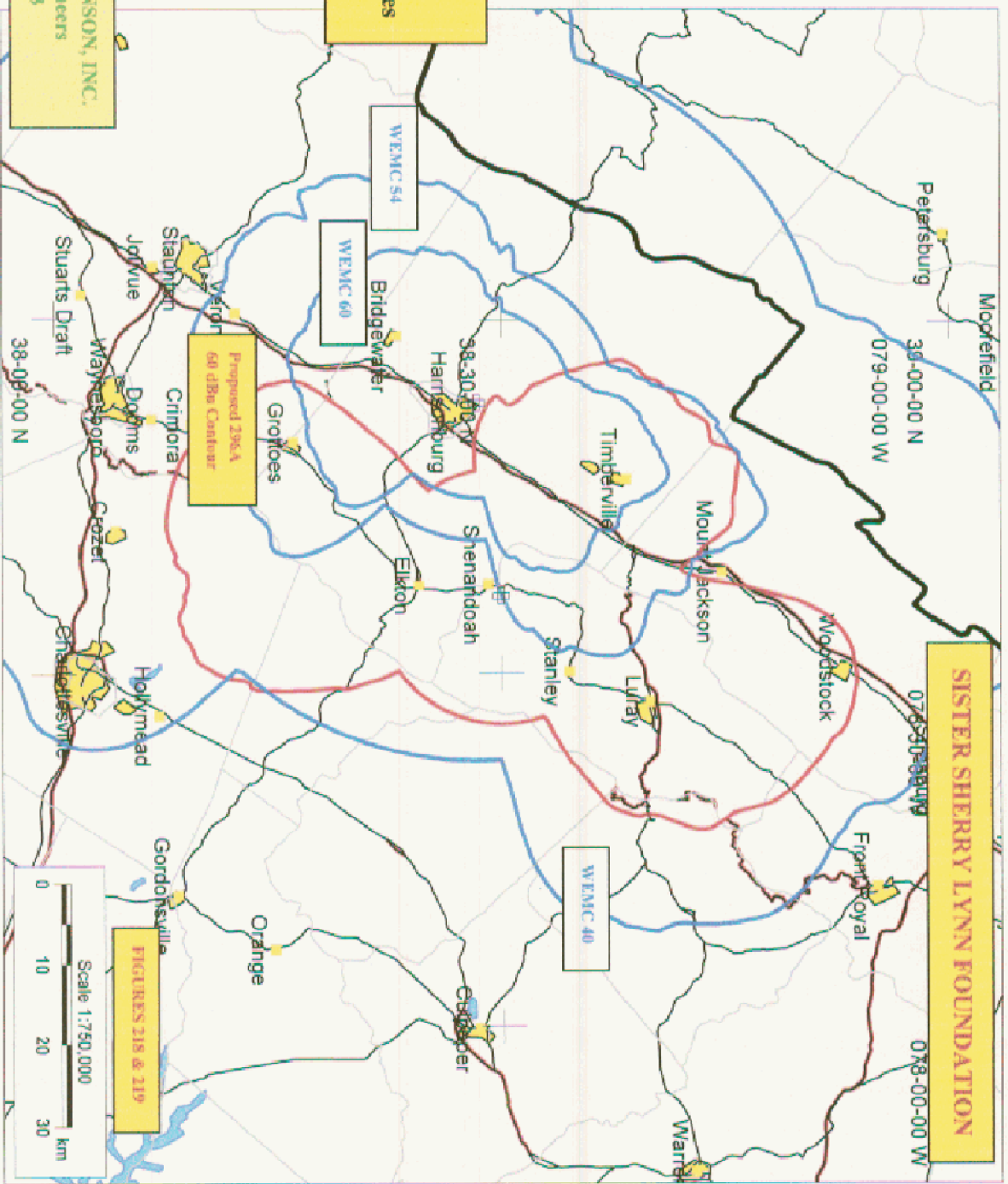
Shenandoah Alloc

Latitude: 38-30-00 N
 Longitude: 078-36-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO

**Ch 219 eliminates
 Ch 218 & 219**

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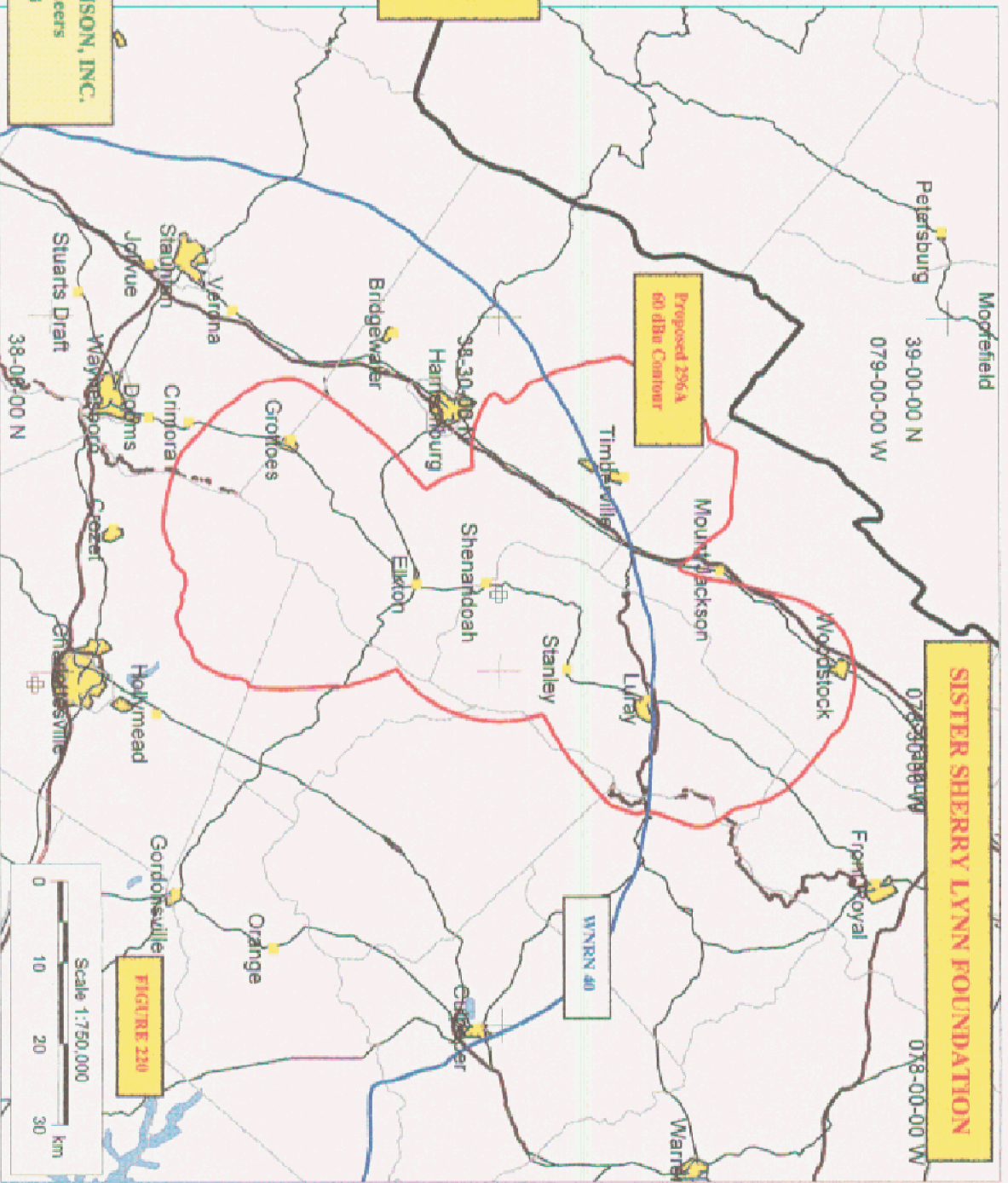
SISTER SHERRY LYNN FOUNDATION

FIGURES 218 & 219

Shenandoah Alloc
 Latitude: 38-30-00 N
 Longitude: 078-39-33 W
 ERP: 6.00 kW
 Channel: 296A
 Frequency: 107.1 MHz
 AMSL Height: 561.27 m
 Elevation: 331.48 m
 Horiz. Pattern: Omni

INFO
 Ch 220 40 dBu
 eliminates Ch 220

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Shenandoah Alloc

Latitude: 38-30-00 N
Longitude: 078-36-33 W
ERP: 6.00 kW
Channel: 296A
Frequency: 107.1 MHz
AMSL Height: 561.27 m
Elevation: 331.48 m
Horiz. Pattern: Omni

OTHER NCE AURAL SERVICES WITHIN PROPOSED CH 296A 60 dBu CONTOUR Shenandoah, Virginia 296A Allotment

SISTER SHERRY LYNN FOUNDATION

Information relating to 2000 Census

Population within proposed 60 dBu
84,475 people

Shaded Blue Area represents 2nd Service
Population Homes

Elkton	4871	2191
Luray	1325	598
Shenandoah	1878	812
Stanley	2042	919
TOTAL:	10116	4520

Towns alone not serve represent 12% of
total population served

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